

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 1:09-cr-219

v.

HONORABLE PAUL L. MALONEY

DEMORERAY JACKSON,

Defendant.

**ORDER GRANTING MOTION TO WITHDRAW AS DEFENSE COUNSEL AND
FOR APPOINTMENT OF NEW COUNSEL;
ENTERING ENDS OF JUSTICE CONTINUANCE**

This matter is before the Court on attorney Gaylor L. Cardinal's Motion to Withdraw as Defense Counsel (Dkt. #16) and Defendant Demoreray Jackson's *Pro Se* Motion to Dismiss Counsel (Dkt. #20). For the reasons and grounds set forth in the opinion from the bench on today's date which is incorporated herein by reference,

IT IS HEREBY ORDERED that attorney Gaylor Cardinal's Motion to Withdraw as Defense Counsel (Dkt. #16) and Defendant Demoreray Jackson's *Pro Se* Motion to Dismiss Counsel (Dkt. #20) are **GRANTED**. The Federal Public Defender's Office shall recommend a substitute attorney to be appointed.

FURTHER, the Court also finds on the basis of the hearing that failure to grant an ends of justice continuance in this instance would deny newly-appointed counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. *See*, 18 U.S.C. § 3161(h)(7)(B)(iv). Recognizing the necessity of the appointment of new counsel, a prudent continuance under the Speedy Trial Act to allow counsel to adequately prepare for trial in this matter outweighs the interests of the public and the defendant in a speedier trial. 18 U.S.C. § 3161 (h)(7)(A). Accordingly, a new scheduling order shall issue.

Date: October 13, 2009

/s/ Paul L. Maloney

Paul L. Maloney

Chief United States District Judge